GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Health, Medial & Family Welfare Department - Allegations of corruption against Dr.G.Krishna Rao, Medical Officer, Primary Health Center, Thullur, Guntur District – Trapped by the ACB officials on 02-12-2000 – Placed under suspension – Prosecuted in Court of Law – Retired from the service on 31-10-2007 – Acquitted by SPE & ACB Court Nellore Dated:16-02-2006 – Criminal Appeal No.1240/2007 filed – Dismissed and confirmed the Judgment Dated: 26-04-2023 of SPE & ACB Court Nellore – Further action dropped, duly regularizing the suspension period as 'On-Duty' in terms of FR.54-(B)(3) – Orders – Issued.

HEALTH, MEDICAL & FAMILY WELFARE (VC.I) DEPARTMENT

G.O.RT.No. 749 **Dated: 10-12-2024**

Read the following:

1. G.O.Ms.No.384, HM&FW (VC.I) Department, Dated:11.10.2001.
2. Orders of SPE&ACB Court, Nellore Dated:16-02-2006 in CC No.09/2002.
3. From the DG, ACB, Lr. No.197/RCT/NPK/2000, Dt.22.04.2006 Hyderabad.
4. Govt., Memo No.99/VC.1(1) /Dl-6, HM&FW (VC.1(1) Dept., dt.26.08.2006.
5. The DPH&FW Lr.Rc.No. 16783/VC II B/2001, Dated:13.02.2024.
6. From the DG, ACB, Rc.No.129/RCT-TCT/2004, Dated:10-07-2024.

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ORDER:

In the reference 1st read above, Government have accorded permission to prosecute Dr. G.Krishna Rao, Medical Officer, Primary Health Center, Thullur, Guntur District in a Court of Law for the offence punishable U/s. 7&13 (2) r/w 13(1)(d) of P.C. Act, 1988 on the allegation that he demanded and accepted a bribe amount of Rs.5000/- on 02-12-2000 from the complainant for doing an official favour.

2. In the orders 2nd read above, the Special Judge for SPE & ACB Court cases Nellore has pronounced judgment, that the Accused Officer, Dr. G.Krishna Rao, Medical Officer, Primary Health Center, Thullur, Guntur District is found not guilty of offence punishable under U/s. 7 & 13(2) r/w 13(1)(d) of P.C. Act, 1988 and accordingly he was acquitted of the same under Sec 248 (1) Cr.PC.

3. In the letter 3rd read above, the Director General, Anti-Corruption Bureau while enclosing a copy of judgment dated:16-02-2006 in CC No.9/2002 of the Special Judge Court for SPE & ACB Cases, Nellore along with the opinion of the Legal Advisor of Anti-Corruption Bureau opined that it is a fit case to file Criminal Appeal in the Hon'ble High Court of Andhra Pradesh, Hyderabad against the judgment of the Lower Court against Accused Officer, Dr. G.Krishna Rao, Medical Officer, Primary Health Center, Thullur, Guntur District.

4. In the Memo 4th read above, Government have accorded permission to the Director General, Anti Corruption Bureau, AP, Hyderabad to prefer an appeal in the High Court of Andhra Pradesh against the acquittal Judgment of trial court dated: 16-02-2006 in C.C.No.9/2002.

5. In the letter 5th read above, the DPH&FW while forwarding the representation of Dr. G.Krishna Rao along with judgment of Hon'ble High Court in CRLA No.1240/2007, dt:26.04.2023 has requested the Government to issue orders on his representation since the Government is competent Authority.

6. In the letter 6th read above, the Director General, Anti-Corruption Bureau has informed that Bureau filed Criminal Appeal CRLA No.1240/2007 on 27-09-2007 before the Hon'ble High Court against the acquittal orders dated:16-02-2006 of the trial Court in CC No.9/2002, in respect of Dr.G.Krishna Rao, Medical Officer, Primary Health Center, Thullur, Guntur District (retired). The Hon'ble High Court vide order dated:26-04-2023, dismissed the Criminal Appeal preferred by the Bureau, confirming the judgment, Dt.16.02.2006 vide CC No.9/2002, on the file of Special Judge for SPE & ACB Cases, Nellore. Further Bureau opined that it is not a fit case to prefer S.L.P in the Supreme Court of India against the order Dated: 26-04-2023 of the Hon'ble High Court of Andhra Pradesh in Criminal Appeal No.1240/2007.

(PTO)

7. After careful examination of the matter and in view of the directions of Hon'ble High Court and the recommendation of Director General, Anti-Corruption Bureau, Government have decided to drop further action against Dr. G.Krishna Rao, Medical Officer, Primary Health Center, Thullur, Guntur District in the Trap Case by the ACB, duly treating the suspension period as 'On-Duty' in terms of FR.54-(B)(3) with all consequential benefits, on the account of orders dated: 26-04-2023 of the Hon'ble AP High Court in Criminal Appeal No.1240 of 2007, confirming the judgment dated:16.02.2006 vide CC No.9/2002.

8. Accordingly, Government hereby drop further action against Dr. G.Krishna Rao, Medical Officer, Primary Health Center, Thullur, Guntur District (Retired) in the trap case duly treating the suspension period as "On-Duty" in terms of FR. 54-(B)(3) with all consequential benefits, on account of orders dated:26-04-2023 of the Hon'ble AP High Court in Criminal Appeal No.1240 of 2007 confirming the judgment, dated:16.02.2006 vide CC No.9/2002 on the file of Special Judge Court for SPE & ACB Cases, Nellore.

9. The Director of Public Health & Family Welfare, Andhra Pradesh, Vijayawada shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr MANJULA D HOSMANI
SECRETARY TO GOVERNMENT

To
Dr. G.Krishna Rao, Medical Officer, Primary Health Center,
Thullur, Guntur District through the Director of Public Health & Family Welfare, AP, Vijayawada.)
The Director of Public Health & Family Welfare, AP, Vijayawada.
Copy to:
The APVC, A.P. Secretariat, Velagapudi.
The Director General, ACB, PNBS, 2nd Floor, Krishnalanka, AP, Vijayawada.
The OSD to Hon'ble Minister (HFW&ME).
The PS to Secretary to Government, HM&FW Department.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER